



D-2939CIP

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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims

1-112. (Cancelled)

113. (Currently amended) A method of making a soluble botulinum toxin comprising:

expressing a botulinum toxin type A from a prokaryotic expression vector comprising a botulinum toxin type A nucleotide sequence in a prokaryotic host cell wherein the prokaryotic expression vector includes a T7lac promoter ~~weak promoter~~ relative to a T7 promoter thereby making a soluble botulinum toxin type A.

114. (Previously presented) The method of claim 113 wherein the prokaryotic host cell is *E. coli*.

115. (Previously presented) The method of claim 114 wherein the *E. coli* is strain BL21 (DE3).

116. (Previously presented) The method of claim 115 wherein a pLys gene is included in the host cell.

117. (Previously presented) The method of claim 116 wherein the pLys gene is plasmid encoded.

118. (Cancelled)

119. (Cancelled)

120. (Cancelled)